

TP

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1571 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1571 – 2009

**RESOLUTION NO. -2009, ACCEPTING AND
APPROPRIATING A 100% REIMBURSED COMMUNITY
DEVELOPMENT RECOVERY GRANT FROM THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
AND AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AGREEMENTS**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1571 – 2009, BECAUSE APPROVAL OF
THIS INTRODUCTORY RESOLUTION BEFORE THE NEXT GENERAL MEETING
OF THE LEGISLATURE ON AUGUST FOURTH IS NECESSARY TO PREVENT
THE RISK OF LOSING FEDERAL FUNDS.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-THIRD DAY OF JUNE, 2009.**

Brendan Chamberlain

**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

2009 JUN 19 P 1:38
SUFFOLK COUNTY, N.Y.
HAPPAGE

6-19-09

1571
Intro Res. No. -2009 Laid on Table 6/23/09
Introduced by Presiding Officer Lindsay on request of County Executive Steve Levy

**RESOLUTION NO. - 2009 ACCEPTING AND
APPROPRIATING A 100% REIMBURSED COMMUNITY DEVELOPMENT
RECOVERY GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT AND AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AGREEMENTS**

WHEREAS, the County Legislature by Resolution No. 598-1999 authorized the County Executive to enter into cooperation agreements with towns and villages to apply for Federal Aid for Community Development; and

WHEREAS, the Department of Economic Development/Community Development Division has submitted an application for a Community Development Recovery Block Grant under the American Recovery and Reinvestment Act of 2009 (P.L. 111-005); and

WHEREAS, the County Consortium has been awarded a Community Development Recovery Block Grant in the amount of \$988,581; and

WHEREAS, \$46,581 of said funds are to be used for operational costs; and

WHEREAS, these funds have already been included in the 2009 Adopted Operating Budget to offset operational costs; and

WHEREAS, the programs developed under the grant have been approved by the Consortium municipalities and coordination of these programs is essential to the success and continuation of the program; now, therefore, be it

1st RESOLVED, that the Suffolk County Legislature hereby authorizes the County Executive to accept the Community Development Recovery Block Grant and to contract with HUD and the cooperating municipalities for the expenditure of these funds; and be it further

2nd RESOLVED, that \$46,581 of these funds be used to reimburse budgeted county expenses and that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:

352-4913 Federal Aid:	Community Development Recovery Program	<u>\$988,581</u>
-----------------------	--	------------------

ORGANIZATIONS:

ECONOMIC DEVELOPMENT
GRANTS TO COOPERATING MUNICIPALITIES
352-CDV-8035

4980-Contracted Services
\$942,000

Intro. Res. No. - 2009

4980-Contracted Agencies TOWN OF BROOKHAVEN 352-8012	\$609,000
4980-Contracted Agencies TOWN OF EAST HAMPTON 352-8013	32,400
4980-Contracted Agencies TOWN OF RIVERHEAD 352-8014	46,800
4980-Contracted Agencies TOWN OF SMITHTOWN 352-8015	87,600
4980-Contracted Agencies TOWN OF SOUTHAMPTON 352-8016	61,200
4980-Contracted Agencies TOWN OF SOUTHOLD 352-8017	39,000
4980-Contracted Agencies VILLAGE OF PATCHOGUE 352-8018	66,000

INTERFUND TRANSFER
TRANSFER TO FUND 351
IFT-9600

352-IFT-E351Transfer to Fund 351 Comm Dev Admin
\$46,581

and be it further

3rd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is CD11; and be it further

4th RESOLVED, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action, pursuant to 6 NYCRR.

DATED:

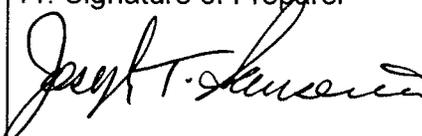
APPROVED BY:

County Executive of Suffolk County

Date:

1571

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation Resolution Accepting and Appropriating a grant from the Department of Housing and Urban Development for a Community Development Block Grant.		
3. Purpose of Proposed Legislation Resolution will allow the Suffolk County Consortium to receive \$998,581 in federal community development block grant recovery funds for housing and neighborhood revitalization.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District <input type="checkbox"/>	
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact: Resolution will provide federal funds to county, towns, and villages to continue to fund Neighborhood revitalization, home improvements and public improvement activities.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. N/A		
8. Proposed Source of Funding 100% Federal Community Development Block Grant		
9. Timing of Impact July, 2009		
10. Typed Name & Title of Preparer Joseph T. Sanseverino Community Development Director	11. Signature of Preparer 	12. Date 5/14/09

1571

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5309-N-01]

**Notice of Program Requirements for
Community Development Block Grant Program
Funding Under the American Recovery and Reinvestment Act of 2009**

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This notice advises the public of the statutory and regulatory waivers granted to grantees under the American Recovery and Reinvestment Act of 2009 (Recovery Act).

The Recovery Act appropriated \$1 billion in Community Development Block Grant (CDBG) funds to states and local governments to carry out, on an expedited basis, eligible activities under the CDBG program. HUD is authorized by statute to specify alternative requirements and make regulatory waivers for this purpose. This notice also explains statutory issues affecting program design and implementation. The Department is also using this notice to provide grantees information about other ways in which the requirements for this grant vary from regular CDBG program rules. Except as described in this Notice, the statutory and regulatory provisions governing the CDBG program apply to this program.

DATES: Entitlement grantees, Insular Areas, and non-entitlement counties in Hawaii are to submit the substantial amendments to their program year (PY) 2008 action plans to their HUD field office by June 5, 2009. States are to submit the substantial amendments to their PY2008 action plans to their HUD field office by June 29, 2009. The deadline for the Homelessness Prevention and Rapid Re-housing Program (HPRP) funding pursuant to HUD's March 19, 2009, Federal Register notice is May 18. Grantees that wish to submit a single substantial amendment for both programs must do so by May 18, 2009.

American Recovery and Reinvestment Act of 2009:
CDBG Formula Allocations

1571

<i>State</i>	<i>Grantee Name</i>	<i>Allocation Amounts</i>
NY	SARATOGA SPRINGS	\$99,239
NY	SCHENECTADY	\$685,701
* NY	SUFFOLK COUNTY	\$988,581 *
NY	SYRACUSE	\$1,650,797
NY	TONAWANDA TOWN	\$505,121
NY	TROY	\$552,590

COUNTY OF SUFFOLK



1571
MAY 18 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

JOSEPH T. SANSEVERINO
COMMUNITY DEVELOPMENT DIRECTOR

OFFICE OF COMMUNITY DEVELOPMENT

TO: Ben Zwirn
Deputy County Executive

FROM: Joseph T. Sanseverino
Community Development Director 

DATE: May 14, 2009

RE: Community Development Recovery Act Resolution

Attached please find a Resolution for the Community Development Recovery Block Grant. Please lay the Resolution on the table at the June 9, 2009 Legislative meeting. An electronic version of the Resolution and backup was sent to "CE RESO Review" under the following titles:

Reso-CD-Community Development Block Grant Recovery Acceptance
Backup-CD-Community Development Block Grant Recovery Acceptance
SCIN 175a, 175b

Should you have any questions regarding the resolution, please do not hesitate to contact me. Thank you for your assistance.

JTS:rf
Attachment

cc: Christopher E. Kent
Chief Deputy County Executive

Patrick Heaney
Economic Development and Workforce Housing

TR

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. -2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁶-2009

RESOLUTION NO. -2009, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK YOUTH AQUARUN AND TRIATHLON FUNDRAISERS

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. - 2009, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK YOUTH AQUARUN AND TRIATHLON FUNDRAISERS BECAUSE THIS IS THE JUNE 23, 2009 GENERAL MEETING IS THE LAST GENERAL MEETING BEFORE THE EVENT IS TO TAKE PLACE ON JULY 11 AND JULY 12, 2009.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY- THIRD DAY OF JUNE, 2009.



**BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

2009 JUN 22 A 11:45
SUFFOLK COUNTY
CLERK OF SUPERIOR COURT

RESOLUTION NO. -2009, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK YOUTH AQUARUN AND TRIATHLON FUNDRAISERS

WHEREAS, an unincorporated entity known as "Event Power" hosts the Mighty North Fork Youth Aquarun and Mighty North Fork Triathlon events which are sanctioned by USA Triathlon, Inc., a nonprofit corporation having its principal place of business in Colorado Springs, CO; and

WHEREAS, Event Power would like to use Cedar Beach County Park in Southold for the purpose of hosting their Mighty North Fork Youth Aquarun on Saturday, July 11, 2009 and their Mighty North Fork Triathlon on Sunday, July 12, 2009; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by USA Triathlon, Inc.; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Cedar Beach County Park by Event Power for the purpose of hosting a fundraiser on Saturday, July 11, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from USA Triathlon, Inc. and the payment of the Fifty Dollars (\$50.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the use of Cedar Beach County Park by Event Power for the purpose of hosting a fundraiser on Sunday, July 12, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from USA Triathlon, Inc. and the payment of the Two Hundred and Twenty-Five Dollars (\$225.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

4th RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Cedar Beach County Park by Event Power.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, AUTHORIZING USE OF CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK YOUTH AQUARUN AND TRIATHLON FUNDRAISERS		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
County will receive \$275 in Park fees.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A.		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 22nd, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

West Sayville Administration
Montauk Highway
West Sayville, NY
(631) 854-4949

Sales Receipt

Transaction #: 27072
Date: 6/9/2009 Time: 2:47:11 PM
Cashier: Felicia Register #: 3

mighty northfork 7/11 & 7/12 @cedar bch

Item	Description	Amount
SE_Fund	Fund Raisers	\$275.00
	Sub Total	\$275.00
	Total	\$275.00
	Master Card Tendered	\$275.00
	Card: XXXXXXXXXXXX6015	
	Auth: 369271	
	Change Due	\$0.00



* 2 7 0 7 2 *
Thank you.

We hope you'll come back soon!
West Sayville Administration
<http://www.suffolkcountyny.gov/parks>

DUPLICATE RECEIPT



Suffolk County Department of Parks, Recreation & Conservation
 Mail Application to: P.O. Box 144, West Sayville, NY 11796
 Phone: 631-854-4951
 www.suffolkcountyny.gov/parks

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
 SPECIAL GROUP EVENT (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)
Youth Aquatics / Adult Race set up
 (Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Cedar Beach, Southold
 2nd Choice _____

1st Choice July 11, 2009
 2nd Choice _____

Name of Group/Organization EventPower

Address PO Box 16206, Southampton, NY Zip Code 11969

Applicant Name Victoria Beleginos Phone 631.458.1171 Cell # 516.313.8329

Address 3620 DrMatt Ave Applicant Signature Victoria Beleginos

Town Wardagh State NY Zip 11793 Today's Date 4/1/09

Arrival Time 11:00 @a.m./p.m. Departure Time Dusk (Parks Close at Dusk)

Estimated # Attending 50 # Cars/Vans 25 # Buses 0

ADULT (FAMILY) CAMPING CLUBS: Total # of Units 0 (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES NO *for athletes only - prepackaged
 Is event open to the general public? YES NO

If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES _____ NO Name of Caterer _____

Will alcoholic beverages be provided? YES _____ NO (If YES the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be sold? YES _____ NO (If YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).

Is this a Fundraiser? YES NO _____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES _____ NO List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of \$2,000,000 per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: Please call Victoria for C.C. info. 516.313.8329

Office Use Only

DATE(S) APPROVED July 11th 2009 AREA ASSIGNED _____ Picnic _____ Youth _____ Adult _____

PARK APPROVED _____ County Park Cedar Beach

Received of Victoria Beleginos Amount \$ 50.00 Cash _____ MO _____ Credit MC

Alcohol Permit Approved _____ (Staff Initials) Transaction # 27072 Check _____

SPECIAL INSTRUCTIONS _____

EventPower
P.O. Box 1626
Southampton, NY 11969
o: 631.478.1171
f: 631.614.3597

March 5, 2009

Felicia Polizzi
Suffolk County Parks
P.O. Box 144
West Sayville, NY 11796

Dear Felicia,

I would like to request the use of Cedar Beach for July 11, 2009 for the Mighty North Fork Youth AquaRun. The aquarun would start at 2:00 PM and be over by 2:40 PM. This will take place during the time we are setting up for the adult race. It is a great way to get youths involved in the sport, and bring families out to the race.

The swim will take place at Cedar Beach and the 1 mile run will take place through our transition area, on the beach, and on Cedar Beach Rd.

If you have any questions, please contact me. Thank you and I look forward to hearing from you.

Sincerely,



Victoria Belegrios
Race Director, Event Power

CERTIFICATE OF INSURANCE

01/30/2009

PRODUCER
 American Specialty Insurance & Risk Services, Inc.
 142 North Main Street
 Roanoke, Indiana 46783

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW.

INSURED
 USA Triathlon
 1365 Garden of the Gods Road, Suite 250
 Colorado Springs, CO 80907

INSURERS AFFORDING COVERAGE

INS. A: AXIS Insurance Company
 INS. B:
 INS. C:

CERT NUMBER: 1000742070

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	POLICY TYPE	POLICY NUMBER	POLICY EFFECTIVE	POLICY EXPIRATION	LIMITS	
A	GL	AXGL01100260-08	12/01/2008 12:01 a.m.	12/01/2009 12:01 a.m.	General Aggregate- Per Event	2,000,000
					Products-Completed Operations Aggregate	2,000,000
					Personal and Advertising Injury	1,000,000
					Each Occurrence	1,000,000
					Damage to Premises Rented to You (Any One Premises)	1,000,000
					Medical Expense Limit (Any One Person)	Excluded
A	UMB	AXUM01100074-08	12/01/2008 12:01 a.m.	12/01/2009 12:01 a.m.	General Aggregate	4,000,000
					Advertising Injury and Personal Injury Aggregate	4,000,000
					Each Occurrence	4,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

- The Umbrella policy contains a Self-Insured Retention of \$10,000.
- The Certificateholder is an Additional Insured in accordance with the provisions and limitations of Form AX IS1003- Additional Insured - Certificateholders with respects to the MIGHTY NORTH FORK TRIATHLON on July 12, 2009.

CERTIFICATE HOLDER

SUFFOLK COUNTY
 PO BOX 144
 WEST SAYVILLE, NY 11796

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

David A Harris



Suffolk County Department of Parks, Recreation & Conservation
 Mail Application to: P.O. Box 144, West Sayville, NY 11796
 Phone: 631-854-4951
 www.suffolkcountyny.gov/parks

APPLICATION FOR PARKLAND GROUP PERMIT

Permit Requested (Check One)

YOUTH GROUP CAMPING _____ GROUP PICNIC _____ ADULT (FAMILY) CAMPING CLUB _____
 SPECIAL GROUP EVENT (Specify Below) GENERAL GROUP _____ (HIKE/FIELD TRIP)
Triathlon - Fundraiser
 (Horse/Dog Event, Fundraiser, Other)

PARK(S) Requested

DATE(S) Requested

1st Choice Cedar Beach, Southold
 2nd Choice _____

1st Choice 7/12/2009 ~~Get up and small youth event~~
 2nd Choice _____

Name of Group/Organization Event Power
 Address P.O. Box 1606, Southampton NY Zip Code 11969

Applicant Name Victoria Beleginos Phone 631.283.7400 Cell # 516.313.8329
 Address 3600 DeMott Ave Applicant Signature Victoria Beleginos

Town Wantagh State NY Zip 11793 Today's Date 1/9/2009

Arrival Time 4:00 a.m./p.m. Departure Time 12:00 pm (Parks Close at Dusk)

Estimated # Attending 500 # Cars/Vans 250 # Buses 0

ADULT (FAMILY) CAMPING CLUBS: Total # of Units _____ (7 unit minimum non-holiday weekends, 10 unit minimum holiday weekends)

SPECIAL EVENTS & PICNICS

Will Food/Beverages be provided? YES NO _____ *For athletes only - Prepackaged only*
 Is event open to the general public? YES NO _____

If event is open to public **AND** food/beverages are being provided a **SUFFOLK COUNTY HEALTH SERVICES ORGANIZER'S APPLICATION FOR TEMPORARY PERMIT** must be filed. Non-compliance with Health Services regulations may result in event being shut down.

Is event being catered? YES _____ NO Name of Caterer _____

Will alcoholic beverages be provided? YES _____ NO (If YES the Hold Harmless Agreement attached must be Signed & notarized).

Will alcoholic beverages be sold? YES _____ NO (If YES a Special Event Permit must be filed with the NYS Liquor Authority to obtain a temporary liquor license).

Is this a **Fundraiser**? YES NO _____ Groups wishing to hold fundraisers on Suffolk County Park property must contact the Parks Permit Department at 854-4951 a **minimum of three months prior** to event for permission as Suffolk County Legislative approval is required.

TENTS - Suffolk County Fire Marshall inspection may be required contact Permit Dept. at 854-4951 for information.

VENDORS? YES _____ NO List all _____

Names of vendors (amusement/entertainment, etc.) at event must be listed above. Attach separate sheet if necessary. Vendor(s) chosen must provide a certificate of insurance naming SUFFOLK COUNTY as an additional insured in the amount of **\$2,000,000** per occurrence Comprehensive General Liability.

SPECIAL REQUESTS/COMMENTS: Please call Victoria at 516.313.8329 for credit card information

Office Use Only

DATE(S) APPROVED July 12th 2009 AREA ASSIGNED _____
 Picnic _____
 Youth _____
 Adult _____

PARK APPROVED _____ County Park Cedar Beach

Received of Victoria Beleginos Amount \$225.00 Cash _____ MO _____ Credit MC
 Alcohol Permit Approved _____ (Staff Initials) Transaction # 27072 Check _____

SPECIAL INSTRUCTIONS _____

EventPower
P.O. Box 1626
Southampton, NY 11969
o:631.283.7400
f: 631.614.3597

February 4, 2009

Felicia Polizzi
Suffolk County Parks
P.O. Box 144
West Sayville, NY 11796

Dear Felicia,

I would like to request the use of Cedar Beach for July 12, 2009 for the 11th Annual Mighty North Fork Triathlon. The triathlon would start at 6:50 AM and be over by 10:00 AM. We will clean up the parking lot, beach, and roads, and leave the race site by 12:00 PM. The race consists of a 500 meter swim, an 8 mile bike, and a 3.5 mile run.

The bike and run takes place on the residential roads, the bike does a loop around Bayview, River Neck Road, and Main Bayview Road and the run is on Bayview Road to Jacobs Lane to Main Bayview Road. Both segments start and finish at Cedar Beach.

On Saturday, July 11, 2009 we would like to set up for the event and have a small youth race to have some excitement for the youths and get them involved in the sport.

If you have any questions, please contact me. Thank you and I look forward to hearing from you.

Sincerely,

Victoria Belegrios
Race Director, Event Power

CERTIFICATE OF INSURANCE

01/30/2009

PRODUCER
American Specialty Insurance & Risk Services, Inc.
142 North Main Street
Roanoke, Indiana 46783

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW.

INSURED
USA Triathlon
1365 Garden of the Gods Road, Suite 250
Colorado Springs, CO 80907

INSURERS AFFORDING COVERAGE
INS. A: AXIS Insurance Company
INS. B:
INS. C:

CERT NUMBER: 1000742070

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	POLICY TYPE	POLICY NUMBER	POLICY EFFECTIVE	POLICY EXPIRATION	LIMITS	
A	GL	AXGL01100260-08	12/01/2008 12:01 a.m.	12/01/2009 12:01 a.m.	General Aggregate- Per Event	2,000,000
					Products-Completed Operations Aggregate	2,000,000
					Personal and Advertising Injury	1,000,000
					Each Occurrence	1,000,000
					Damage to Premises Rented to You (Any One Premises)	1,000,000
					Medical Expense Limit (Any One Person)	Excluded
A	UMB	AXUM01100074-08	12/01/2008 12:01 a.m.	12/01/2009 12:01 a.m.	General Aggregate	4,000,000
					Advertising Injury and Personal Injury Aggregate	4,000,000
					Each Occurrence	4,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

- The Umbrella policy contains a Self-Insured Retention of \$10,000.
- The Certificateholder is an Additional Insured in accordance with the provisions and limitations of Form AX IS1003- Additional Insured - Certificateholders with respects to the MIGHTY NORTH FORK TRIATHLON on July 12, 2009.

CERTIFICATE HOLDER

SUFFOLK COUNTY
PO BOX 144
WEST SAYVILLE, NY 11796

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
David A. Harris

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u> X </u> Local Law _____ Charter Law _____</p>											
<p>2. Title of Proposed Legislation</p> <p style="text-align: center;">AUTHORIZING USE OF THE CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS MIGHTY NORTH FORK YOUTH AQUARUN AND TRIATHLON FUNDRAISERS</p>											
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising events.</p>											
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____</p>											
<p>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</p> <table style="width: 100%; border: none;"> <tr> <td style="border: 1px solid black; padding: 2px;">County</td> <td style="padding: 2px;">Town</td> <td style="padding: 2px;">Economic Impact</td> </tr> <tr> <td style="padding: 2px;">Village</td> <td style="padding: 2px;">School District</td> <td style="padding: 2px;">Other (Specify):</td> </tr> <tr> <td style="padding: 2px;">Library District</td> <td style="padding: 2px;">Fire District</td> <td></td> </tr> </table>			County	Town	Economic Impact	Village	School District	Other (Specify):	Library District	Fire District	
County	Town	Economic Impact									
Village	School District	Other (Specify):									
Library District	Fire District										
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p style="text-align: center;">There are fees of \$50.00 and \$225.00 (total of \$275.00) collected by the County for use of the Park.</p>											
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p style="text-align: center;">N/A</p>											
<p>8. Proposed Source of Funding</p> <p style="text-align: center;">N/A</p>											
<p>9. Timing Impact</p> <p style="text-align: center;">N/A</p>											
<p>10. Typed Name & Title of Preparer</p> <p style="text-align: center;">Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation</p>	<p>11. Signature of Preparer</p>	<p>12. Date</p>									

COUNTY OF SUFFOLK



JUN 10 2009

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

09-444
ecopy incl.

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner *(JWP)*

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: JUNE 9, 2009

**RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF THE
CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS
MIGHTY NORTH FORK YOUTH AQUARUN AND
TRIATHLON FUNDRAISERS**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Event Power Fundraising Event.doc."

Should you require anything further, please contact my office at 4-4984.

Enclosures



TP

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁷ - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁷ - 2009

**RESOLUTION NO. -2009, APPROPRIATING FUNDS IN
CONNECTION WITH THE COUNTY SHARE FOR
PARTICIPATION IN THE INSTALLATION OF THE CLOSED
LOOP SIGNAL SYSTEM ON VARIOUS COUNTY ROADS
(CAPITAL PROGRAM NUMBER 3309)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL
RELATIONS, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁷ - 2009, BECAUSE THIS IS A
FEDERALLY FUNDED PROJECT, MANDATED MILESTONES MUST BE MET TO
INSURE THE FEDERAL FUNDS ARE OBTAINED. RECENT CHANGES TO THE
PROCEDURES FOR OBTAINING FINAL FEDERAL AUTHORIZATION REQUIRE
THAT THE COUNTY PASS A RESOLUTION AND HAVE LOCAL AND STATE
CONTRACTS IN PLACE PRIOR TO FINAL AUTHORIZATION.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-THIRD DAY OF JUNE, 2009.**


BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS

2009 JUN 22 P 2 12
SUFFOLK COUNTY
CLERK OF SUPERIOR COURT
SUFFOLK COUNTY
OFFICE

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE INSTALLATION OF THE CLOSED LOOP SIGNAL SYSTEM ON VARIOUS COUNTY ROADS (CP 3309)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Installation of the Closed Loop Signal System on Various County Roads; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, with a share allocation of eighty (80%) percent Federal funds and twenty (20%) percent County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, there are sufficient funds within the 2009 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2009 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,250,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 1175-1995 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the design of the Installation of the Closed Loop Signal System on Various County Roads; and be it further

4th RESOLVED, that the proceeds of \$1,250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3309.311 (Fund 001 Debt Service)	50	Installation of the Closed Loop Signal System on Various County Roads	\$250,000

and be it further

5th RESOLVED, that Federal Aid in the amount of \$1,000,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3309.311	50	Installation of the Closed Loop Signal System on Various County Roads	\$1,000,000

and be it further

6th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$250,000; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$1,000,000; and be it further

8th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$1,000,000; and be it further

9th RESOLVED, that the appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE INSTALLATION OF THE CLOSED LOOP SIGNAL SYSTEM ON VARIOUS COUNTY ROADS (CP 3309)		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
Suffolk County must "first instance" the entire cost of the project. The share allocation for the project is 80% Federal and 20% County. County Comptroller is authorized to issue bond anticipation notes. If short term notes are issued, the county would incur minimal interest costs.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
Federal Highway Administration--80% allocation (\$1,000,000) 20% allocation for County (250,000 in Serial Bonds).		
The appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project.		
9. Timing of Impact		
2010		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 22nd, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$23,708	\$0.04		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$23,708	\$0.04		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
Project Name
General Obligation Serial Bonds
Level Debt

Term of Bonds: 15
Amount to Bond: \$250,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$11,790.53	\$11,916.67	\$23,707.20	\$23,707.20
			\$5,677.33	\$5,677.33	
5/1/2011	4.500%	\$12,352.54	\$5,677.33	\$18,029.87	\$23,707.20
			\$5,382.92	\$5,382.92	
5/1/2012	4.500%	\$12,941.35	\$5,382.92	\$18,324.27	\$23,707.20
			\$5,074.49	\$5,074.49	
5/1/2013	4.500%	\$13,558.22	\$5,074.49	\$18,632.71	\$23,707.20
			\$4,751.35	\$4,751.35	
5/1/2014	4.500%	\$14,204.49	\$4,751.35	\$18,955.85	\$23,707.20
			\$4,412.81	\$4,412.81	
5/1/2015	4.500%	\$14,881.58	\$4,412.81	\$19,294.39	\$23,707.20
			\$4,058.13	\$4,058.13	
	4.500%	\$15,590.93	\$4,058.13	\$19,649.06	\$23,707.20
			\$3,686.55	\$3,686.55	
5/1/2017	5.000%	\$16,334.10	\$3,686.55	\$20,020.65	\$23,707.20
			\$3,297.25	\$3,297.25	
5/1/2018	5.000%	\$17,112.69	\$3,297.25	\$20,409.94	\$23,707.20
			\$2,889.40	\$2,889.40	
5/1/2019	5.000%	\$17,928.40	\$2,889.40	\$20,817.80	\$23,707.20
			\$2,462.11	\$2,462.11	
	5.000%	\$18,782.98	\$2,462.11	\$21,245.09	\$23,707.20
			\$2,014.45	\$2,014.45	
5/1/2021	5.000%	\$19,678.30	\$2,014.45	\$21,692.75	\$23,707.20
			\$1,545.45	\$1,545.45	
5/1/2022	5.000%	\$20,616.30	\$1,545.45	\$22,161.75	\$23,707.20
			\$1,054.09	\$1,054.09	
5/1/2023	5.000%	\$21,599.01	\$1,054.09	\$22,653.10	\$23,707.20
			\$539.31	\$539.31	
	5.000%	\$22,628.57	\$539.31	\$23,167.88	\$23,707.20
		\$250,000.00	\$105,607.93	\$355,607.93	\$355,607.93

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
Thomas LaGuardia
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: June 16, 2009
RE: **APPROPRIATING FUNDS IN CONNECTION WITH
THE COUNTY SHARE FOR PARTICIPATION IN THE
INSTALLATION OF THE CLOSED LOOP SIGNAL
SYSTEM ON VARIOUS COUNTY ROADS (CAPITAL
PROGRAM NUMBER 3309)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$1,250,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital Budget and Program for this project. We request this be presented as a CN.

The project proposes to replace the traffic controllers at 168 intersections along 17 corridors, and to implement these controllers on the centralized traffic signal system at the County office in Yaphank. Traffic signals on these routes would be electronically interconnected and new traffic signal timing plans would be developed and installed to provide coordinated traffic movements, thus improving traffic flow.

This is a Federally funded project. Mandated milestones must be met to insure the Federal funds are obtained.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 3309.doc".

TL:WH:sk
attach.

cc Chris Kent, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst

TR

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁸-2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁸-2009

RESOLUTION NO. -2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 17, CARLETON AVENUE, TOWN OF ISLIP PHASE 2 (CAPITAL PROGRAM NUMBER 5097)

WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE CONSIDERED IMMEDIATELY,

NOW, I, BRENDAN CHAMBERLAIN, DIRECTOR OF INTERGOVERNMENTAL RELATIONS, CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. ¹⁶⁰⁸ - 2009, BECAUSE THIS IS A FEDERALLY FUNDED PROJECT, MANDATED MILESTONES MUST BE MET TO INSURE THE FEDERAL FUNDS ARE OBTAINED. RECENT CHANGES TO THE PROCEDURES FOR OBTAINING FINAL FEDERAL AUTHORIZATION REQUIRE THAT THE COUNTY PASS A RESOLUTION AND HAVE LOCAL AND STATE CONTRACTS IN PLACE PRIOR TO FINAL AUTHORIZATION.

IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY-THIRD DAY OF JUNE, 2009.

Brendan Chamberlain

**BRENDAN CHAMBERLAIN
DIRECTOR OF INTERGOVERNMENTAL RELATIONS**

2009 JUN 22 P 2:10
SUFFOLK COUNTY
CLERK

RESOLUTION NO. 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 17, CARLETON AVENUE, TOWN OF ISLIP, PHASE 2 (CP 5097)

WHEREAS, the Commissioner of Public Works has requested funds for construction and construction inspection in connection with Reconstruction of CR 17, Carleton Avenue, Wheeler Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 075733, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty (80) percent Federal funds and twenty (20) percent County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, the County must first pass a resolution and have State and local agreements in place prior to final issuance of the Federal authorization; and

WHEREAS, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5097 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,262,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 1196-2007 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Reconstruction of CR 17, Carleton Avenue, Wheeler Road; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5097
 Project Title: Reconstruction of CR 17, Carleton Avenue

	<u>Total Est'd Cost</u>	Current 2009 Capital Budget & <u>Program</u>	Revised 2009 Capital Budget & <u>Program</u>
3. Construction	\$5,262,000	\$ 0	\$ 852,000B
		<u>\$ 0</u>	<u>\$ 3,410,000F</u>
TOTAL and be it further	\$7,712,000	\$1,000,000	\$5,262,000

5th **RESOLVED**, that the proceeds of \$852,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5097.316 (Fund 001 Debt Service)	50	Reconstruction of CR 17, from Suffolk Avenue to NYS Route 111 (Phaes II)	\$852,000

and be it further

6th **RESOLVED**, that Federal Aid in the amount of \$3,410,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5097.316	50	Reconstruction of CR 17, from Suffolk Avenue to NYS Route 111 (Phase II)	\$3,410,000

and be it further

7th **RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$852,000; and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$3,410,000; and be it further

9th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,410,000; and be it further

10th **RESOLVED**, that the appropriations within this resolution shall not be expended, encumbered or authorized, and that no bond or notes shall be issued, for this project until the County is in receipt of the Federal Authorization for construction of the project; and be it further

11th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on

behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

**FINANCIAL IMPACT
2010 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$80,795	\$0.15		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2010 PROPERTY TAX LEVY	2010 COST TO AVG TAXPAYER	2010 AV TAX RATE PER \$100	2010 FEV TAX RATE PER \$1000
TOTAL	\$80,795	\$0.15		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2008.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2008-2009.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2008 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County
 Project Name
 General Obligation Serial Bonds
 Level Debt

Term of Bonds: 15
 Amount to Bond: \$852,000

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
5/1/2009					
11/1/2009					
5/1/2010	4.500%	\$40,182.12	\$40,612.00	\$80,794.12	\$80,794.12
			\$19,348.33	\$19,348.33	
5/1/2011	4.500%	\$42,097.47	\$19,348.33	\$61,445.80	\$80,794.12
			\$18,345.00	\$18,345.00	
5/1/2012	4.500%	\$44,104.12	\$18,345.00	\$62,449.12	\$80,794.12
			\$17,293.85	\$17,293.85	
5/1/2013	4.500%	\$46,206.41	\$17,293.85	\$63,500.27	\$80,794.12
			\$16,192.60	\$16,192.60	
5/1/2014	4.500%	\$48,408.92	\$16,192.60	\$64,601.52	\$80,794.12
			\$15,038.86	\$15,038.86	
5/1/2015	4.500%	\$50,716.41	\$15,038.86	\$65,755.27	\$80,794.12
			\$13,830.12	\$13,830.12	
	4.500%	\$53,133.89	\$13,830.12	\$66,964.01	\$80,794.12
			\$12,563.76	\$12,563.76	
5/1/2017	5.000%	\$55,666.61	\$12,563.76	\$68,230.37	\$80,794.12
			\$11,237.04	\$11,237.04	
5/1/2018	5.000%	\$58,320.05	\$11,237.04	\$69,557.09	\$80,794.12
			\$9,847.08	\$9,847.08	
5/1/2019	5.000%	\$61,099.97	\$9,847.08	\$70,947.05	\$80,794.12
			\$8,390.86	\$8,390.86	
	5.000%	\$64,012.40	\$8,390.86	\$72,403.26	\$80,794.12
			\$6,865.23	\$6,865.23	
5/1/2021	5.000%	\$67,063.66	\$6,865.23	\$73,928.89	\$80,794.12
			\$5,266.88	\$5,266.88	
5/1/2022	5.000%	\$70,260.36	\$5,266.88	\$75,527.24	\$80,794.12
			\$3,592.34	\$3,592.34	
5/1/2023	5.000%	\$73,609.44	\$3,592.34	\$77,201.78	\$80,794.12
			\$1,837.98	\$1,837.98	
	5.000%	\$77,118.16	\$1,837.98	\$78,956.14	\$80,794.12
		\$852,000.00	\$359,911.84	\$1,211,911.84	\$1,211,911.84

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: June 16, 2009
RE: **AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 17, CARLETON AVENUE, TOWN OF ISLIP PHASE 2 (CAPITAL PROGRAM NUMBER 5097)**

Attached are a draft resolution and duplicate copy to appropriate the sum of \$4,262,000 for construction and construction inspection in connection with the above referenced project. We request this be submitted as a CN.

There are insufficient funds included in the 2009 Capital budget and program for this project. However, pursuant to the Suffolk County charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifth percent (50%) by Federal or State aid.

This is a Federally funded project. Mandated milestones must be met to insure the Federal funds are obtained.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

This phase will address vehicular and pedestrian volume deficiencies in the CR 17 Wheeler Road corridor from Suffolk Avenue to Bretton Road. It provides for new paving, a continuous left-turn lane, sidewalk construction and drainage improvements.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5097.doc".

TL:WH:sk
attach.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE

YAPHANK, N.Y. 11980

(631) 852-4010
FAX (631) 852-4150

NEW
YORK
METROPOLITAN
TRANSPORTATION
COUNCIL

NASSAU/SUFFOLK TRANSPORTATION
COORDINATING COMMITTEE

State Office Building
250 Veterans Memorial Highway
Hauppauge, NY 11788-5518
Tel: (631)952-6112
Fax: (631)952-6420

To: Joel Ettinger, NYMTC Executive Director
From: Nancy O'Connell, N/S TCC Staff Director
Subject: TIP Amendment #08-20 TO TIP2008-2012
Date: June 08, 2009

This memorandum presents for your endorsement the attached TIP Amendment # 08-20 to the Nassau-Suffolk element of the New York Metropolitan Transportation Council's (NYMTC) Transportation Improvement Program (TIP) FFY 2008-2012.

This action provides

- Change in the AARA programming for the following NYSDOT project.
 - o 080843- Soil Borings to provide soil properties –Regional Drilling Contract
- Changed in programming for the following projects.
 - o 075733- CR17 from CR 100, Suffolk Ave to Vicinity of NY111
 - o 075932- 2009 Suffolk County Pavement Management Rehabilitation.
 - o 075884- Fire Island Ferry Terminal building rehabilitation, village of Patchogue
 - o 082498 –Study of Proposed Transportation System for the Nassau Hub.
 - o 0T1911 –2010 Suffolk County pavement management asphalt rehabilitation.
 - o 075877 –Reconstruct or resurface Old Nichols road from Moriches Road to Smithtown Blvd.
- New project
 - o 0T2352 – Syosset Streetscape & Walkability improvement project
This project was included in a ten day public review process and there were no comments received.

The noted adjustment is consistent with NYMTC and N-S TCC TIP amendment procedures. In addition, this action has followed procedures that are in place to protect the air quality standards as was approved by the Interagency Consultation Group (ICG). These projects were included in a ten day public review process and there were no comments received.

Please contact Nancy O'Connell of the N-S TCC staff at 631-952-6115 if you have any questions relevant to this request.

These projects were included in a ten day public review process and there were no comments received.
Attachments

CC: Technical Committee

**** NEW YORK METROPOLITAN TRANSPORTATION COUNCIL ****
TIP AMENDMENT: NS08-20

Wednesday, May 27, 2009

Page 1 of 5

AGENCY PIN WORKTYPE <AQ STATUS>	PROJECT DESCRIPTION	FUND SOURCES & OBLIGATION DATE	TOTAL 5-YEAR PROGRAM in millions of dollars	PHASE	5-YEAR PROGRAM (FFY) Starting October 01, 2007					POST FFY 2012
					PRE FFY 2008	FFY 2008	FFY 2009	FFY 2010	FFY 2011	
AQ CODE	COUNTY									
From										
SUFFOLK CO.	CR17 FROM CR100, SUFFOLK AVENUE TO VICINITY OF NY111. SAFETY REHABILITATION AND RESURFACING. INSTALL TWO WAY LEFT TURN LANE AND UPGRADE TRAFFIC CONTROL DEVICES	STP LG URBAN 02/2009	1.000	DETILDES		1.000				
075733		LOCAL 02/2009	0.250	DETILDES		0.250				
RECON		STP LG URBAN 02/2010	2.000	ROWACQJ			2.000			
<Exempt>		LOCAL 02/2010	0.500	ROWACQJ			0.500			
		STP LG URBAN 02/2013	0.000	CONINSP						0.480
AQC:C7P	SUFFOLK	STP LG URBAN 02/2013	0.000	CONINSP					0.120	
		LOCAL 02/2013	0.000	CONST					4.320	
		LOCAL 02/2013	0.000	CONST					1.080	
	TOTAL PROJECT COST > 9.750	TOTAL SVR COST >	3.750		0.000	1.250	2.500	0.000	0.000	6.000
To										
SUFFOLK CO.	CR17 FROM CR100, SUFFOLK AVENUE TO VICINITY OF NY111. SAFETY REHABILITATION AND RESURFACING. INSTALL TWO WAY LEFT TURN LANE AND UPGRADE TRAFFIC CONTROL DEVICES	STP LG URBAN 02/2009	0.341	CONINSP		0.341				
075733		LOCAL 02/2009	0.085	CONINSP		0.085				
RECON		STP LG URBAN 02/2009	3.069	CONST		3.069				
<Exempt>		LOCAL 02/2009	0.767	CONST		0.767				
		STP LG URBAN 02/2010	0.000	ROWACQJ			0.000			
AQC:C7P	SUFFOLK	STP LG URBAN 02/2013	0.000	CONINSP						0.480
		LOCAL 02/2013	0.000	CONINSP						0.120
		LOCAL 02/2013	0.000	CONST						4.320
		LOCAL 02/2013	0.000	CONST						1.080
	TOTAL PROJECT COST > 10.262	TOTAL SVR COST >	4.262		0.000	4.262	0.000	0.000	0.000	6.000

Ballot Comment: OFFSET FROM 075932.CHANGED DESIGN PHASE TO CONST.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1609 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. – 2009

**RESOLUTION NO. -2009, AMENDING THE 2009
CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH THE
ACQUISITION OF THE PARTIAL INTEREST IN THE
JOHN P. COHALAN COURT COMPLEX,
CONSTITUTING THE PORTION OF FACILITY NOT
CURRENTLY OWNED BY THE COUNTY, FROM THE
SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY
(CAPITAL PROJECT 1137)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE
CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION
3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE
IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1609 –
2009, BECAUSE SUFFOLK COUNTY IS PRESENTED WITH AN OPPORTUNITY TO
ACQUIRE FROM THE SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY THE
PORTION OF THE JOHN P. COHALAN COURT COMPLEX FACILITY NOT
CURRENTLY OWNED BY THE COUNTY.**

**THIS ACQUISITION OF THE PORTION OF THE JOHN P. COHALAN COURT
COMPLEX FACILITY NOT CURRENTLY OWNED BY THE COUNTY WILL RESULT IN
A SUBSTANTIAL SAVINGS TO SUFFOLK COUNTY DUE TO THE LOWER INTEREST
RATES AVAILABLE ON SUFFOLK COUNTY GENERAL OBLIGATION SERIAL
BONDS AND DUE TO THE FACT THAT NO BOND INSURANCE WILL BE REQUIRED
FOR THE ISSUANCE OF THESE SERIAL BONDS AS A RESULT OF SUFFOLK
COUNTY'S STRONG BOND RATING.**

**IN ADDITION, THE CURRENT DEBT SERVICE RESERVE FUND OF THE SUFFOLK
COUNTY JUDICIAL FACILITIES AGENCY IS REQUIRED TO BE UTILIZED TO PAY
DOWN THE CURRENT DEBT SERVICE ON THE OUTSTANDING SERVICE
AGREEMENT REVENUE BONDS REDUCING THE AMOUNT OF REQUIRED TO
DEFEASE THESE REVENUE BONDS.**

**IN ORDER TO TRANSACT THIS ACQUISITION THE APPROPRIATIONS AND
BONDING AUTHORIZATION NEEDS TO BE PLACED. THE BONDS NEED TO BE
ISSUED, APPROPRIATIONS NEED TO BE EXPENSED AND THE PROCEEDS NEED
TO BE IN AN ESCROW ACCOUNT IN A TIMELY MANNER. THIS WILL REQUIRE
ALL PREPARATION WORK TO ISSUE THE BONDS, WHILE ENSURING THE
ESTOPPEL PERIOD IS MET. IT IS NECESSARY TO HAVE THE APPROPRIATIONS**

AND BONDING AUTHORIZATION IN PLACE TO PROCEED WITH THIS TRANSACTION.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY-THIRD DAY OF JUNE, 2009.

A handwritten signature in black ink, appearing to read 'B. Zwirn', with a long horizontal flourish extending to the right.

BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

Introduced by the Presiding Officer at the request of the County Executive

**RESOLUTION NO. - 2009, AMENDING THE 2009
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE ACQUISITION OF THE
PARTIAL INTEREST IN THE JOHN P. COHALAN COURT
COMPLEX, CONSTITUING THE PORTION OF FACILITY NOT
CURRENTLY OWNED BY THE COUNTY, FROM THE
SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY (CAPITAL
PROJECT 1137)**

WHEREAS, the Suffolk County Judicial Facilities Agency was established in 1999 for the purpose of purchasing from the NYS Dormitory Authority an interest in the John P. Cohalan Court Complex; and

WHEREAS, on September 1, 1999, the Suffolk County Judicial Facilities Agency ("Agency") issued Service Agreement Revenue Bonds for the acquisition from the NYS Dormitory Authority an interest in the John P. Cohalan Court Complex; and

WHEREAS, the Agency Service Agreement Revenue Bonds are special obligations payable from moneys received by the Agency from Suffolk County as service fee payments pursuant to a Service Agreement between the Agency and Suffolk County; and

WHEREAS, Suffolk County is presented with an opportunity to acquire from the Agency the portion of the John P. Cohalan Court Complex Facility not currently owned by the County; and

WHEREAS, this acquisition of the portion of the John P. Cohalan Court Complex Facility not currently owned by the County will result in a substantial savings to Suffolk County due to the lower interest rates available on Suffolk County General Obligation Serial Bonds and due to the fact that no bond insurance will be required for the issuance of these serial bonds as a result of Suffolk County's strong bond rating; and

WHEREAS, in addition, the current Debt Service Reserve Fund of the Agency is required to be utilized to pay down the current debt service on the outstanding Service Agreement Revenue Bonds reducing the amount required to defease these revenue bonds; and

WHEREAS, a CHARTER LAW entitled "A Charter Law To Implement a Cost Saving Measure to Help Mitigate Budgetary Shortfall" has been adopted which waives the requirement that an increase in the capital budget and program during the fiscal year be offset by a corresponding reduction in the capital budget and program in order for the County to purchase the Agency's interest in the John P. Cohalan Court Complex; and

WHEREAS, Resolution No. 471-1994 and as amended by Resolution No. 461-2006, has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$66,000,000 in Suffolk County General Obligation Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request under Capital Project 1137 and pursuant to the Suffolk County Charter, Section C4-13 (B) an offsetting authorization is not required on the amendment to financed the County's acquisition of Suffolk County Judicial Facilities Agency's interest in the John P. Cohalan Court Complex located in Central Islip, New York; and

3rd RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1137
 Project Title: Acquisition of the John P. Cohalan Court Complex from the Suffolk County Judicial Facilities Agency

	<u>Total Est'd Cost</u>	<u>Current 2009 Capital Budget & Program</u>	<u>Revised 2009 Capital Budget & Program</u>
3. Construction	\$66,000,000	\$0	\$66,000,000 B
TOTAL	<u>\$66,000,000</u>	<u>\$0</u>	<u>\$66,000,000</u>

and be it further

4th RESOLVED, that the proceeds of \$66,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1137.310 Fund 001 Debt Service	Acquisition of the Portion of the John P. Cohalan Court Complex, Not Currently Owned by the County, from the Suffolk County Judicial Facilities Agency	\$66,000,000

and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management, not including new programs or major reordering of priorities that may affect the environment; and be it further

6th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreements and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

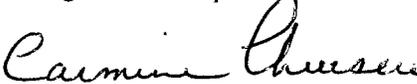
DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
<p>RESOLUTION NO. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION OF THE PARTIAL INTEREST IN THE JOHN P. COHALAN COURT COMPLEX, CONSTITUING THE PORTION OF FACILITY NOT CURRENTLY OWNED BY THE COUNTY, FROM THE SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY (CAPITAL PROJECT 1137)</p>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<p>County</p>	<p>Town</p>	<p>Economic Impact</p>
<p>Village</p>	<p>School District</p>	<p>Other (Specify):</p>
<p>Library District</p>	<p>Fire District</p>	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED ANALYSIS		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2009		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Carmine Chiusano, Assistant Budget Director		June 23, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	(\$5,381,469)	(\$10.05)		-\$0.017

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	-\$5,381,469	(10.05)		-\$0.017

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Suffolk County JFA Refunding Breakeven Analysis

	Scenario 1 - Appraisal = Bonds Needed
Appraisal of CCC Asset	\$75,871,925
JFA Portion of the Asset 86.3949%	\$65,549,474
Amount Needed to Refund Bonds and Pay Costs of Issuance	\$77,234,876
Less JFA Debt Service Reserve Fund	(\$11,379,981)
Less JFA DSRF Accrued Interest	(\$305,421)
Total Amount of Bond Production (Par + Premium) Required	\$65,549,474
Difference From JFA Asset Appraisal	\$0
2009 Projected Savings	\$5,381,469
2010 Projected Savings	\$756,094
2011 Projected Savings	\$773,475
2012 Projected Savings	\$779,794
2013 Projected Savings	\$781,831
2014 Projected Savings	\$847,031
2015 Projected Savings	(\$927,969)
2016 Projected Savings	\$19,619
Total Projected Savings	<u>\$8,411,344</u>
Present Value Savings	<u>\$7,847,904</u>

Prepared by Capital Markets Advisors, LLC

CAPITAL PROJECT RANKING FORM

CAPITAL PROJECT RANKING FORM	Response	Score	Category
Cumulative Ranking (maximum score=100 points)		60.0	
1. Does this project meet the minimum 5-25-5 criteria for inclusion in the capital program pursuant to Local Law 23 of 1994? Enter "Y" or "N".	Y	5.6	Planning
2. ENTER "Y" if this is either a non-recurring project or a recurring project that is financed with "G" money or ENTER "N" if this is a recurring project financed through the capital program with a source of funds other than "G" money.	Y	5.6	Planning
3. Is implementation of the project mandated by federal, state or local law? ENTER "0" if not mandated, ENTER "1" (yes-long term) if mandated, but more than 3-years (beyond the current capital program) are needed to meet the mandate, or ENTER "2" if mandate must be met within the current 3-year capital program.	0	0.0	Planning
4. What percent of the project is funded by state or federal aid, or other nonproperty tax revenue (department income, tuition at the college, interfund transfers from Fund 404 for sewers, etc.)? ENTER the percent from 0 to 100.	15	1.7	Fiscal
5. What is the non-debt service net operating budget impact? ENTER "1" for an increase in net operating expenses (net of debt service on borrowing for this capital project and net of state & federal aid and other nonproperty tax revenue); ENTER "2" for no impact; ENTER "3" for a decrease in net operating expenses within 10 years; ENTER "4" for a decrease in net operating expenses within 5 years.	4	16.7	Fiscal
6. What affect will this project have on the local economy with respect to expansion of the tax base and/or job creation? ENTER "1" = negative economic impact; ENTER "2" = no effect; ENTER "3" = positive economic impact.	3	11.1	Economic
7. Which level of service best describes this project? ENTER "1" = will expand the level of services, provide new services, or provide service level quality enhancements; ENTER "2" = needed to maintain existing levels; or ENTER "3" = replaces, rehabilitates or repairs a deteriorating or obsolete facility (i.e., Yaphank Jail)	2	2.8	Service
8. Does this project (1) correct a critical health or safety hazard, (2) prevents a critical breakdown in county facilities (i.e. asbestos removal or road improvements at high accident locations) or (3) promotes public safety or public health, providing critical services to county residents? Enter "Y" or "N".	n	0.0	Service
9. What impact does the project have on the environment? ENTER "1" a for negative impact, ENTER "2" for no impact or ENTER "3" for a positive impact.	2	5.6	Service
10. What percent of the County's population will potentially be served? ENTER "1" if potential use is less than or equal to 25% of the county's population, ENTER "2" if potential use is less than or equal to 50%, ENTER "3" if potential use is less than or equal to 75%, ENTER "4" if potential use exceeds 75%.	4	5.6	Service
11. How would you (the analyst) rate the need for this project? ENTER "1" = Not necessary; ENTER "2" = Moderate priority; ENTER "3" = High priority; ENTER "4" = Critical.	4	5.6	All Categories

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1610 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. - 2009

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK NEW YORK
NO. -2009, AUTHORIZING THE ISSUANCE OF \$66,000,000
BONDS TO FINANCE A PART OF THE COST OF THE
ACQUISITION OF A PARTIAL INTEREST IN THE JOHN P.
COHALAN COURT COMPLEX CONSTITUTING THE PORTION OF
THE BUILDING NOT CURRENTLY OWNED BY THE COUNTY
(CAPITAL PROJECT 1137)**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE
CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION
3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE
IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1610 -
2009, BECAUSE SUFFOLK COUNTY IS PRESENTED WITH AN OPPORTUNITY TO
ACQUIRE FROM THE SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY THE
PORTION OF THE JOHN P. COHALAN COURT COMPLEX FACILITY NOT
CURRENTLY OWNED BY THE COUNTY.**

**THIS ACQUISITION OF THE PORTION OF THE JOHN P. COHALAN COURT
COMPLEX FACILITY NOT CURRENTLY OWNED BY THE COUNTY WILL RESULT IN
A SUBSTANTIAL SAVINGS TO SUFFOLK COUNTY DUE TO THE LOWER INTEREST
RATES AVAILABLE ON SUFFOLK COUNTY GENERAL OBLIGATION SERIAL
BONDS AND DUE TO THE FACT THAT NO BOND INSURANCE WILL BE REQUIRED
FOR THE ISSUANCE OF THESE SERIAL BONDS AS A RESULT OF SUFFOLK
COUNTY'S STRONG BOND RATING.**

**IN ADDITION, THE CURRENT DEBT SERVICE RESERVE FUND OF THE SUFFOLK
COUNTY JUDICIAL FACILITIES AGENCY IS REQUIRED TO BE UTILIZED TO PAY
DOWN THE CURRENT DEBT SERVICE ON THE OUTSTANDING SERVICE
AGREEMENT REVENUE BONDS REDUCING THE AMOUNT OF REQUIRED TO
DEFEASE THESE REVENUE BONDS.**

**IN ORDER TO TRANSACT THIS ACQUISITION THE APPROPRIATIONS AND
BONDING AUTHORIZATION NEEDS TO BE PLACED. THE BONDS NEED TO BE
ISSUED, APPROPRIATIONS NEED TO BE EXPENSED AND THE PROCEEDS NEED
TO BE IN AN ESCROW ACCOUNT IN A TIMELY MANNER. THIS WILL REQUIRE
ALL PREPARATION WORK TO ISSUE THE BONDS, WHILE ENSURING THE
ESTOPPEL PERIOD IS MET. IT IS NECESSARY TO HAVE THE APPROPRIATIONS
AND BONDING AUTHORIZATION IN PLACE TO PROCEED WITH THIS
TRANSACTION.**

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND CAUSED TO
BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY-THIRD DAY OF JUNE, 2009.

A handwritten signature in black ink, appearing to read 'B. Zwirn', with a long horizontal flourish extending to the right.

BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

BOND RESOLUTION NO. ____ - 2009

BOND RESOLUTION OF THE COUNTY OF SUFFOLK,
NEW YORK, AUTHORIZING THE ISSUANCE OF
\$66,000,000 BONDS TO FINANCE A PART OF THE COST
OF THE ACQUISITION OF A PARTIAL INTEREST IN THE
JOHN P. COHALAN COURT COMPLEX, CONSTITUTING
THE PORTION OF THE BUILDING NOT CURRENTLY
OWNED BY THE COUNTY (CP 1137)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW
YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the
members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$66,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of a partial interest in the John P. Cohalan Court Complex, constituting the portion of the building not currently owned by the County. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000,000. The plan of financing includes (i) the expenditure of up to \$12,000,000 available in the Debt Service Reserve Fund currently held by the Suffolk County Judicial Facility Agency and expected to be available for such purpose, (ii) the issuance of up to \$66,000,000 bonds or bond anticipation notes authorized pursuant to

this resolution and (iii) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years; however, the final maturity of any bonds or bond anticipation notes issued pursuant to this resolution shall be no later than October 15, 2016.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and

any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

Dated: _____

APPROVED: _____
County Executive, Suffolk County

Date of Approval: _____, 2009

The adoption of the foregoing resolution was seconded by Legislator

_____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, Tim Laube, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Bond Resolution No. ____ - 2009 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on June 23, 2009, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on June 23, 2009 and approved by the County Executive on _____, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this ____ day of June, 2009.

(SEAL)

Tim Laube
Clerk of the Legislature

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on June 23, 2009 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Suffolk, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF SUFFOLK

DATED: June ____, 2009
Smithtown, New York

Tim Laube
Clerk of the Legislature

BOND RESOLUTION NO. _____ - 2009

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$66,000,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF A PARTIAL INTEREST IN THE JOHN P. COHALAN COURT COMPLEX, CONSTITUTING THE PORTION OF THE BUILDING NOT CURRENTLY OWNED BY THE COUNTY (CP 1137)

The object or purpose for which the bonds are authorized is the acquisition of a partial interest in the John P. Cohalan Court Complex, constituting the portion of the building not currently owned by the County, at the estimated maximum cost of \$78,000,000.

The maximum amount of obligations to be issued is \$66,000,000, with the \$12,000,000 balance of the cost expected to be paid from funds available in the Debt Service Reserve Fund currently held by the Suffolk County Judicial Facility Agency and expected to be available for such purpose.

The period of probable usefulness of the bonds is thirty (30) years; however, the final maturity of any bonds or bond anticipation notes issued pursuant to this resolution shall be no later than October 15, 2016.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Legislature, W.H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York.

The bond resolution was adopted on June 23, 2009.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1611-2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1611-2009

**RESOLUTION NO. -2009, ESTABLISHING
INTENTION OF THE LEGISLATURE TO MOVE
FORWARD WITH THE PURCHASE OF THE JOHN P.
COHALAN COURT COMPLEX**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY RESOLUTION BE
CONSIDERED IMMEDIATELY,**

**NOW, I, BEN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE, CERTIFY
PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III, SECTION 3-9 OF
THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A NEED FOR THE
IMMEDIATE CONSIDERATION OF INTRODUCTORY RESOLUTION NO. 1611 -2009,
BECAUSE THE COUNTY, WHICH OWNS A PARTIAL INTEREST IN THE JOHN P.
COHALAN COURT COMPLEX ("COMPLEX"), MUST BEGIN THE PROCESS TO
ACQUIRE TITLE TO THE COMPLEX FROM THE SUFFOLK COUNTY JUDICIAL
FACILITIES AGENCY ("AGENCY"), WHICH INCLUDES, AMONG OTHER THINGS,
ISSUING NOTICES REGARDING THE PURCHASE, HAVING AN APPRAISAL
CONDUCTED, AND ESTABLISHING A CLOSING DATE, AND THESE ACTIONS
MUST OCCUR WELL BEFORE THE CALL DATE FOR THE BONDS HELD BY THE
AGENCY ASSOCIATED WITH THE PROPERTY, WHICH IS IN OCTOBER 2009.**

**SINCE THE COUNTY LEGISLATURE DOES NOT MEET AGAIN UNTIL AUGUST 4,
2009, APPROVAL OF THIS RESOLUTION TODAY WILL AVOID DELAY AND ENABLE
IMMEDIATE COMMENCEMENT OF THE PROCESS BY THE COUNTY TO OBTAIN
SOLE TITLE TO THIS PROPERTY.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND CAUSED TO
BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS TWENTY THIRD DAY OF
JUNE, 2009.**



**BEN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE**

**RESOLUTION NO. -2009, ESTABLISHING INTENTION
OF THE LEGISLATURE TO MOVE FORWARD WITH THE
PURCHASE OF THE JOHN P. COHALAN COURT COMPLEX**

WHEREAS, in 1986, pursuant to the provisions of Section 1680-a of the Public Authorities Law, the County caused the New York State Dormitory Authority (the "Dormitory Authority") to construct the John P. Cohalan Court Complex and the County, pursuant to a Lease and Agreement dated as of August 28, 1986, leased the John P. Cohalan Court Complex from the Dormitory Authority, all in fulfillment of the County's obligations pursuant to the Judiciary Law of the State of New York (the "State") to provide suitable facilities for the State court system; and

WHEREAS, in 1999, the County and the Suffolk County Judicial Facilities Agency ("Agency") each purchased a portion of the John P. Cohalan Court Complex from the Dormitory Authority, with the County's share being 13.6051% and the Agency's share being 86.3949%, with each party issuing bonds for such purchase; and

WHEREAS, in conjunction with the purchase of that facility, the County entered into a service agreement, an operation agreement, and a tenancy in common agreement with the Agency under which the County makes the facility available to the State and remits annual payments to the Agency that are equivalent to the Agency's debt service payments on the bonds it issued for the purchase of its share of the facility; and

WHEREAS, in light of the low interest rates available to the County due to its high credit rating and the approaching call date of the Agency's bonds associated with the facility, the County has a unique opportunity to purchase the Agency's share of the facility and to finance such purchase by the issuance of general obligation bonds of the County at interest rates low enough that the new debt service would be lower than the amounts being paid by the County to the Agency in the form of lease payments; and

WHEREAS, the proposed transaction will result in savings to the County of approximately \$8,400,000.00 over the remaining life of the aforementioned agreements and the Agency's bonds, including a savings to the County of approximately \$5,400,000.00 for 2009, in light of a purchase price of not more than \$66,000,000.00; and

WHEREAS, the aforementioned savings will help to offset continuing losses in sales tax revenues from amounts budgeted which are estimated to be \$95,000,000.00 less than the total amount of sales tax revenues adopted for 2009; and

WHEREAS, taking advantage of this cost saving measure at present is especially important at a time when the County has already taken several actions to close the projected budget shortfalls through transfers from the tax stabilization reserve fund, obtaining union concessions to reduce costs in 2009, and through other actions that will collectively result in substantial savings to the County; and

WHEREAS, in order to move forward with this purchase, this Legislature will be voting on a local law to waive the Charter Law requirement that increases in the capital budget

and program during the fiscal year be offset by a corresponding reduction in the capital budget and program as insufficient reductions are available for this purchase; now, therefore, be it

1st RESOLVED, that it is the intention and desire of this Legislature to approve the purchase herein described for a cost not to exceed \$66,000,000.00 and to waive the capital budget and program offset requirements established by the Suffolk County Charter; and be it further

2nd RESOLVED, that this Legislature hereby exercises the County's option under the tenancy in common agreement to purchase the Agency's ownership interest in the John P. Cohalan Court Complex located in Central Islip, New York, for a cost not to exceed \$66,000,000.00; and be it further

3rd RESOLVED, that the County Executive, or his designee, be and is hereby authorized to execute any separate agreements with the Agency, or to execute any amendments or modifications to existing agreements between the County and the Agency and other documents, necessary to effectuate the purchase herein described; and be it further

4th RESOLVED, that pursuant to section 2350-ee(3)(a) of the Public Authorities Law, the Agency is hereby authorized to sell and dispose of its 86.3949% real property interest in the John P. Cohalan Court Complex to the County of Suffolk; and be it further

5th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

1. Type of Legislation		
Resolution <u> X </u> Local Law <u> </u> Charter Law <u> </u>		
2. Title of Proposed Legislation		
RESOLUTION NO. -2009, ESTABLISHING INTENTION OF THE LEGISLATURE TO MOVE FORWARD WITH THE PURCHASE OF THE JOHN P. COHALAN COURT COMPLEX		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No <u> </u>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<u>County</u>	Town	Economic Impact
Village	School District	Other (Specify): DAV
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
The intent of this resolution is for the Legislature to approve and enter into an agreement for the acquisition of the Cohalan Court Complex. The financial impact of this acquisition is addressed in the appropriating and bonding resolutions.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding		
N/A		
9. Timing of Impact		
Immediate upon adoption.		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Executive Technician		June 23rd, 2009

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT
2009 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2009 PROPERTY TAX LEVY	2009 COST TO AVG TAXPAYER	2009 AV TAX RATE PER \$100	2009 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1612 - 2009**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1612 - 2009

**RESOLUTION NO. -2009, AUTHORIZING USE OF
INDIAN ISLAND COUNTY PARK BY AMERICAN
DIABETES ASSOCIATION FOR ITS TOUR DE CURE
FUNDRAISER**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. 1612 - 2009, BECAUSE THE EVENT WILL OCCUR
BEFORE THE NEXT LEGISLATIVE MEETING IN AUGUST.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY THIRD DAY OF JUNE 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

1612
Intro. Res. No. -2009

Laid on Table

Introduced by the Presiding Officer on request of County Executive

RESOLUTION NO. -2009, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER

WHEREAS, American Diabetes Association, Inc. is a national 501(c)(3) nonprofit organization having its principal place of business at 1701 N. Beauregard Street, Alexandria, VA; and

WHEREAS, the American Diabetes Association would like to hold its "Tour De Cure" Cycling Event Fundraiser on Long Island for the 18th time; and

WHEREAS, the American Diabetes Association has requested to begin and end this year's Tour De Cure Fundraiser at Indian Island County Park; and

WHEREAS, the Tour De Cure Fundraiser, is scheduled to be held on June 27, 2009; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by American Diabetes Association; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Indian Island County Park by American Diabetes Association for the purpose of hosting a fundraiser on Saturday, June 27, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from American Diabetes Association and the payment of the Two Hundred and Twenty-Five Dollars (\$225.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Indian Island County Park by American Diabetes Association.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: May 22, 2009

**RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF INDIAN ISLAND
COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR
DE CURE FUNDRAISER**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-American Diabetes Association Fundraiser.doc".

Should you require anything further, please contact my office at 4-4984.

Enclosures

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X Local Law _____ Charter Law _____

2. Title of Proposed Legislation

AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY AMERICAN DIABETES ASSOCIATION FOR ITS TOUR DE CURE FUNDRAISER

3. Purpose of Proposed Legislation

Authorize use of County Parkland for fundraising event.

4. Will the Proposed Legislation Have a Fiscal Impact? Yes X No _____

5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)

<input type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (Specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact

There is a fee (\$225.00) collected by the County for use of the park.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.

N/A

8. Proposed Source of Funding

N/A

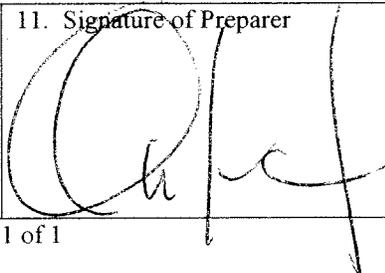
9. Timing Impact

N/A

10. Typed Name & Title of Preparer

Tom Malanga
Parks Foundation Director
Dept. of Parks, Recreation & Conservation

11. Signature of Preparer



12. Date

6/23/09

Allen M. Karesdy
Director of Mgt & Accounts

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1613 - 2009**

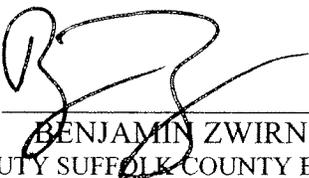
WHEREAS, INTRODUCTORY RESOLUTION NO. 1613 - 2009

**RESOLUTION NO. -2009, AUTHORIZING USE OF THE
LONG ISLAND MARITIME MUSEUM BY THE CYSTIC
FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN /
WALK AND BARBECUE" FUNDRAISER**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, BENJAMIN ZWIRN, DEPUTY SUFFOLK COUNTY EXECUTIVE
CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND ARTICLE III,
SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT THERE EXISTS A
NEED FOR THE IMMEDIATE CONSIDERATION OF INTRODUCTORY
RESOLUTION NO. 1613 - 2009, BECAUSE THE EVENT WILL OCCUR
BEFORE THE NEXT LEGISLATIVE MEETING IN AUGUST.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS
TWENTY THIRD DAY OF JUNE 2009.**



BENJAMIN ZWIRN
DEPUTY SUFFOLK COUNTY EXECUTIVE

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2009, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN / WALK AND BARBECUE" FUNDRAISER

WHEREAS, Cystic Fibrosis Foundation – Greater New York Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 205 East 42nd Street, Suite 1821, New York, New York; and

WHEREAS, the Cystic Fibrosis Foundation would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Run / Walk and Barbecue Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Sunday, July 26, 2009; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Cystic Fibrosis Foundation; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Long Island Maritime Museum by the Cystic Fibrosis Foundation for the purpose of hosting a fundraiser on Sunday, July 26, 2009, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Cystic Fibrosis Foundation and the payment of the Five Hundred Dollar (\$500.00) event fee to the Long Island Maritime Museum, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Long Island Maritime Museum by the Cystic Fibrosis Foundation.

DATED:

APPROVED BY:

County Executive of Suffolk County

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

JOHN W. PAVACIC
COMMISSIONER

TRACEY BELLONE
DEPUTY COMMISSIONER

TO: BEN ZWIRN, Deputy County Executive

FROM: JOHN W. PAVACIC, Commissioner

CC: CHRISTOPHER KENT, Chief Deputy County Executive

DATE: May 22, 2009

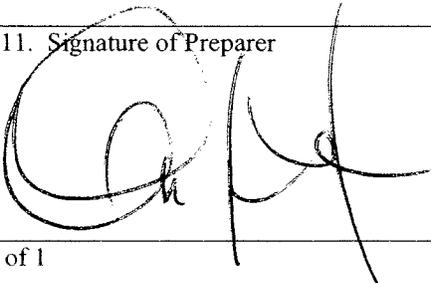
**RE: INTRODUCTORY RESOLUTION AUTHORIZING USE OF THE
LONG ISLAND MARITIME MUSEUM BY THE CYSTIC
FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN / WALK
AND BARBECUE" FUNDRAISER**

Enclosed please find a draft resolution and supporting documentation relative to the above-captioned. An e-mail version of this resolution was sent to CE RESO REVIEW under the file name "RESO-PKS-Cystic Fibrosis Foundation Fundraising Event.doc."

Should you require anything further, please contact my office at 4-4984.

Enclosures

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<p>1. Type of Legislation</p> <p>Resolution <u>X</u> Local Law _____ Charter Law _____</p>		
<p>2. Title of Proposed Legislation</p> <p>AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN / WALK AND BARBECUE" FUNDRAISER</p>		
<p>3. Purpose of Proposed Legislation</p> <p>Authorize use of County Parkland for fundraising event.</p>		
<p>4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <u>X</u>_____</p>		
<p>5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)</p> <p>County Town Economic Impact</p> <p>Village School District Other (Specify):</p> <p>Library District Fire District</p>		
<p>6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact</p> <p>N/A</p>		
<p>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</p> <p>N/A</p>		
<p>8. Proposed Source of Funding</p> <p>N/A</p>		
<p>9. Timing Impact</p> <p>N/A</p>		
<p>10. Typed Name & Title of Preparer</p> <p>Tom Malanga Parks Foundation Director Dept. of Parks, Recreation & Conservation</p>	<p>11. Signature of Preparer</p> 	<p>12. Date</p> <p>6/23/09</p>

*Allen M. Kousser
Director of M&R*